

EXHIBIT A

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THE LYNCH LAW FIRM

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201-288-2022

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Attorneys for Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators
Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI and ANGELA M.
INZERILLO and VITO CLAVELLI AS INDIVIDUALS

**ANGELA M. INZERILLO and VITO
CLAVELLI, as Administrators
Ad Prosequendum of the Estate of MICHELE
DOMENICO CLAVELLI and ANGELA M.
INZERILLO and VITO CLAVELLI AS
INDIVIDUALS**

Plaintiff,

vs.

**HARD ROCK CAFE INTERNATIONAL
(USA), INC., PALACE HOLDING, S.A. DE
C.V., PALACE RESERVATIONS, S.A. DE
C.V., d.b.a. Palace Resorts, PALACE
RESORTS TRAVEL, INC., INVERSIONES
ZAHENA, S.A., HOLDING
INTERNACIONAL, S.A. DE C.V., d.b.a. Hard
Rock Hotel & Casino Punta Cana,
LIFEGUARDS 1-100 (being fictitious persons)
SWIMMING POOL/ LIFEGUARD
MANAGERS 1-10 (being fictitious persons),
ABC CORP 1-10 (being fictitious corps.)**

Defendants.

**SUPERIOR COURT OF NEW JERSEY
LAWDIVISION: MERCER COUNTY**

Docket No: MER-L-

CIVIL ACTION

ANGELA M. INZERILLO and VITO CLAVELLI as Administrators Ad Prosequendum

of the ESTATE OF MICHELE DOMENICO CLAVELLI, residing at 28 Hickory Way,

Township of Robbinsville, County of Mercer, State of New Jersey depose and say as follows:

FIRST COUNT

1. Decedent, MICHELE DOMENICO CLAVELLI was born on June 1, 2004 and died on August 15, 2018.

2. Decedent, MICHELE DOMENICO CLAVELLI died intestate.
3. Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, were the natural parents and guardians ad litem of decedent, MICHELE DOMENICO CLAVELLI.
4. On October 13, 2018, the Mercer County Surrogate's Court appointed Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI as the Administrators Ad Prosequendum of the ESTATE OF MICHELE DOMENICO CLAVELLI.
5. On August 15, 2018, Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta Cana, owned, operated and manages a hotel resort in Punta Cana, Dominican Republic.
6. On August 15, 2018, Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta Cana's hotel resort in Punta Cana Dominican included a private beach that fronted the Atlantic Ocean.
7. On and around August 15, 2018, Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta Cana advertised, marketed and represented to the public and their customers that their private beach and the adjoining waters were safe, appropriate for children swimmers and under lifeguard surveillance and supervision during day hours.

8. On August 15, 2018, decedent, MICHELE DOMENICO CLAVELLI and his mother and Plaintiff, Administrator Ad Prosequendum, ANGELA M. INZERILLO were paying guests of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta Cana at their hotel resort in Punta Cana, Dominican Republic.

9. On August, 15. 2018, decedent, MICHELE DOMENICO CLAVELLI and his mother and Plaintiff, Administrator Ad Prosequendum ANGELA M. INZERILLO relied on Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta Cana representations that their private beach and adjoining waters were safe, appropriate for children swimmers and under active lifeguard supervision during day hours.

10. On August 15, 2018, decedent, MICHELE DOMENICO CLAVELLI entered the ocean waters adjoining the Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta private beach and at some point began to struggle to stay afloat and drowned.

11. On August 15, 2018, decedent, MICHELE DOMENICO CLAVELLI entered the ocean waters adjoining the Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC.,

PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta private beach and at some point began to struggle to stay afloat, drowned and was washed ashore.

12. On August 15, 2018, Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta owed decedent, MICHELE DOMENICO CLAVELLI a duty of care to provide safe and competent lifeguarding supervision; a safe swimming environment consistent their representations; clear, understandable and widespread warning of any swimming dangers including, but not limited to the absence of lifeguards and dangerous rip current conditions; to close the beach swimming area when the swimming conditions warrant it and otherwise provide a safe environment for decedent, MICHELE DOMENICO CLAVELLI use an enjoyment.

13. On August 15, 2018, Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta breached the aforementioned duties of care it owed to decedent, MICHELE DOMENICO CLAVELLI.

14. As a proximate cause of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A.,

HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta decedent, MICHELE DOMENICO CLAVELLI, was caused to suffer conscious pain and suffering, death, pain, mental anguish, personal injuries, trauma, loss of enjoyment of life, fear, physical pain and terror and therefore his Estate is entitled to compensatory damages pursuant to N.J.S.A., 2A:15-3et. seq., the Survival Act.

WHEREFORE, Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI and ANGELA M. INZERILLO AND VITO CLAVELLI AS INDIVIDUALS demand judgment for damages against Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta, for damages, interest, cost of suit and such other relied as the Court deems proper.

SECOND COUNT

1. Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI repeat each and every allegation of the First Count of the Complaint as if set forth at length herein.

2. Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI and its beneficiaries and ANGELO M. INZERILLO and VITO CLAVELLI, AS INDIVIDUALS were caused to sustain loss of services, guidance, companionship, future services, future companionship and future guidance and similar damages from decedent, MICHELE DOMENICO CLAVELLI as a result of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING,

S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta negligence and is therefore entitled to damages as per N.J.S.A. 2A:31-1 et seq. the Wrongful Death Act.

WHEREFORE Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI, and ANGELO M. INZERILLO and VITO CLAVELLI, AS INDIVIDUALS demands judgment for damages against Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta damages, compensatory damages interest, cost of suit and such other relief as the Court deems proper.

THIRD COUNT

1. Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI repeat each and every allegation of the First and Second Counts of the Complaint as if set forth at length herein.
2. On August 15, 2018, Defendants, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.), employees of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta owed Decedent, MICHELE DOMENICO CLAVELLI a duty of

care to provide safe and competent lifeguarding supervision; a safe swimming environment consistent their representations; clear, understandable and widespread warning of any swimming dangers including, but not limited to the absence of lifeguards and dangerous rip current conditions; to close the beach swimming area when the swimming conditions warrant it and otherwise provide a safe environment for decedent, MICHELE DOMENICO CLAVELLI use an enjoyment.

3. On August 13, 2018, Defendants, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.), it owned to Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, and decedent, MICHELE DOMENICO CLAVELLI, by failing to provide safe and competent lifeguarding supervision; a safe swimming environment consistent their representations; clear, understandable and widespread warning of any swimming dangers including, but not limited to the absence of lifeguards and dangerous rip current conditions; to close the beach swimming area when the swimming conditions warrant it and otherwise provide a safe environment for decedent, MICHELE DOMENICO CLAVELLI use an enjoyment.

4. As a direct and proximate cause of Defendants, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.) negligence Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as Administrators Ad Prosequendum of the Estate of MICHELE DOMENICO CLAVELLI, sustained damages as articulated in the First and Second Counts.

WHEREFORE, Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI demand judgment for damages against Defendants, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP

1-10 (being fictitious Corps.), for damages, interest, cost of suit and such other relied as the Court deems proper.

FOURTH COUNT

1. Plaintiff, ANGELA M. INZERILLO and VITO CLAVELLI, as individuals, repeat each and every allegation of the First through Third Counts of the Complaint as if set forth at length herein.

2. Plaintiff, ANGELA M. INZERILLO and VITO CLAVELLI, as individuals, saw and or sensed decedent, MICHELE DOMENICO CLAVELLI fight for his life, sensed his terror, searched for in vain for him for fear for his life and found his apparently lifeless body as it washed ashore all due to the negligence of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.).

3. As a result of the negligence of Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.), negligence, Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as

individuals, have suffered and will continue to suffer from severe, permanent mental pain and anguish and has and will incur mental, health and medical expenses to treat her severe and emotional distress in the amount of \$3,600 or greater.

WHEREFORE, Plaintiffs, ANGELA M. INZERILLO and VITO CLAVELLI, as individuals, demand judgment against Defendants, HARD ROCK CAFE INTERNATIONAL (USA), INC., PALACE HOLDING, S.A. DE C.V., PALACE RESERVATIONS, S.A. DE C.V., d.b.a. Palace Resorts, PALACE RESORTS TRAVEL, INC., INVERSIONES ZAHENA, S.A., HOLDING INTERNACIONAL, S.A. DE C.V., d.b.a. Hard Rock Hotel & Casino Punta, LIFEGUARDS 1-100 (being fictitious persons) SWIMMING POOL/ LIFEGUARD MANAGERS 1-10 (being fictitious persons), ABC CORP 1-10 (being fictitious Corps.), for damages punitive damages, interest, costs of suit and such other relief as the Court deems proper.

THE LYNCH LAW FIRM
Attorneys for Plaintiff



NEIL S. WEINER, ESQ.

Dated: March 11, 2019

JURY DEMAND

Plaintiffs hereby demands a trial by jury as to all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R.4:25-4, attorney Neil S. Weiner, Esq., of The Lynch Law Firm, is hereby designated as trial counsel.

DEMAND FOR INTERROGATORIES

Plaintiffs hereby demands answers to Uniform Form C Interrogatories annexed hereto by all defendants within the time allowed under the Rules of Court.

DEMAND FOR PRODUCTION OF INSURANCE AGREEMENTS

Pursuant to R. 4:10-2(b), demand is hereby made that you disclose to the undersigned whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy all or part of a judgment which may be entered in the action or to indemnify or reimburse for payment made to satisfy the judgment. If so, please attach a copy of each, or in the alternative state, under oath and certification: (a) policy number; (b) name and address of insurer; (c) inception and expiration date; (d) names and addresses of all persons insured there under; (e) personal injury limits; (f) property damage limits; and (g) medical payment limits.

CERTIFICATION

Pursuant to R. 4:5-1, I certify that to the best of my knowledge the matter in controversy is not the subject of any other action pending in any court or pending arbitration proceeding, nor is any other action or arbitration proceeding contemplated.

THE LYNCH LAW FIRM

Attorneys for Plaintiff



NEIL S. WEINER, ESQ.

Dated: March 11, 2019

Civil Case Information Statement

Case Details: MERCER | Civil Part Docket# L-000484-19

Case Caption: INZERILLO ANGELA VS HARD ROCK
CAFE INTER NATIONA
Case Initiation Date: 03/11/2019
Attorney Name: NEIL SCOTT WEINER
Firm Name: LYNCH LYNCH HELD ROSENBERG, PC
Address: 440 STATE ROUTE 17 NORTH
HASBROUCK HEIGHTS NJ 07604
Phone:
Name of Party: PLAINTIFF : Inzerillo, Angela, M
Name of Defendant's Primary Insurance Company
(if known): None

Case Type: PERSONAL INJURY
Document Type: Complaint with Jury Demand
Jury Demand: YES - 6 JURORS
Hurricane Sandy related? NO
Is this a professional malpractice case? NO
Related cases pending: NO
If yes, list docket numbers:
Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b)

03/11/2019
Dated

/s/ NEIL SCOTT WEINER
Signed